

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: NORTH SEA BRENT CRUDE OIL  
FUTURES LITIGATION

This document applies to: ALL CASES

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KEVIN McDONNELL, ANTHONY  
INSINGA, ROBERT MICHELS and JOHN  
DEVIVO, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

ROYAL DUTCH SHELL PLC, BP PLC,  
STATOIL ASA, MORGAN STANLEY,  
TRAFIGURA BEHEER B.V., TRAFIGURA  
AG, PHIBRO TRADING LLC, VITOL, S.A.  
and JOHN DOES 1-50,

Defendants.

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NEIL TAYLOR, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

ROYAL DUTCH SHELL PLC, BP PLC,  
STATOIL ASA, MORGAN STANLEY,  
TRAFIGURA BEHEER B.V., TRAFIGURA  
AG, PHIBRO TRADING LLC, VITOL, S.A.,  
and JOHN DOES 1-50,

Defendants.

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1:13-md-02475 (ALC)

Case No. 13-cv-07089 (ALC)

ECF Case

Case No. 13 Civ. 8179 (ALC)

ECF Case

**NOTICE OF MOTION OF PLAINTIFFS KEVIN McDONNELL, ANTHONY  
INSINGA, ROBERT MICHELS, JOHN DEVIVO AND NEIL TAYLOR TO BE  
APPOINTED LEAD PLAINTIFFS AND TO APPOINT  
KIRBY MCINERNEY LLP AS INTERIM LEAD COUNSEL**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Motion of Plaintiffs Kevin McDonnell, Anthony Insinga, Robert Michiels, John Devivo and Neil Taylor To Be Appointed Lead Plaintiffs and To Appoint Kirby McInerney LLP as Interim Lead Counsel, dated January 24, 2014, filed in support thereof, oral argument, and other such materials as the Court may consider, Kirby McInerney LLP, on behalf of Plaintiffs Kevin McDonnell, Anthony Insinga, Robert Michiels, John Devivo and Neil Taylor (the “Trader Plaintiffs”) will move this Court before the Honorable Andrew L. Carter, Jr. at the United States Courthouse for the Southern District of New York, Thurgood Marshall Courthouse, 40 Foley Square, Courtroom 1306, for an order pursuant to Fed. R. Civ. P. 23 appointing Kirby McInerney LLP as Interim Lead Counsel and appointing the Trader Plaintiffs as Lead Plaintiffs the above-captioned matter.

Plaintiffs’ counsel has previously conferred with opposing parties and made a good faith effort to resolve the matter of appointment of Interim Lead Counsel without Court action.

Dated: New York, New York  
January 24, 2014

**KIRBY McINERNEY LLP**

/s/ David E. Kovel  
David E. Kovel  
Alice McInerney (*Of Counsel*)  
Dan Hume  
Andrew M. McNeela  
Lauren Wagner Pederson (*Of Counsel*)  
Thomas W. Elrod  
KIRBY McINERNEY LLP  
825 Third Avenue, 16<sup>th</sup> Floor  
New York, NY 10022  
Tel: 212-371-6600  
dkovel@kmllp.com  
amcinerney@kmllp.com  
dhume@kmllp.com  
amcnella@kmllp.com  
lpederson@kmllp.com

telrod@kmllp.com

*Counsel for the Trader Plaintiffs and  
Proposed Interim Lead Counsel*